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KERALA GAZETTE

അദിയാധാരണം

EXTRAORDINARY

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GOVERNMENT OF KERALA

Industries (A) Department NOTIFICATION

G. O. (P) No.23/2025/ID

S. R. O. No. 472/2025

Dated, Thiruvananthapuram, 11th April, 2025

28th Meenam 1200

In exercise of the powers conferred by sub section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Government of Kerala hereby make the following Rules further to amend the Kerala Minor Mineral Concession Rules, 2015 issued by notification under G. O. (P) No.16/2015/ID dated 7th February, 2015 and published as S.R.O. No. 72/2015 in the Kerala Gazette Extraordinary No. 288 dated 7th February, 2015, namely:-



RULES

1. *Short title and commencement.*-(1) These Rules may be called the Kerala Minor Mineral Concession (Amendment) Rules, 2025.

(2) They shall come into force at once.

2. Amendment of the Rules.— In the Kerala Minor Mineral Concession Rules, 2015,-

After sub-rule (1) of Rule 14, the following sub-rule shall be inserted

1A. Every quarrying permit for ordinary earth under sub-rule (1) shall be granted subject to this following conditions, namely:-

(a). quarrying shall be strictly confined to the area allotted for the purpose.

(b). the permit holder shall not carry on or allowed to be carried on any quarrying operations at or to any points within a distance of 25 meters from the boundary or boundaries of adjacent properties or 50 meters from any residential building except with the consent of the owners of such property or building or 75 meters from any railway line, 50 meters from any bridge, reservoir, tanks and canals or other public works except with the previous permission of the authorities concerned or State Government or competent authority, as the case may be

Provided that, in case the quarrying is carried out for the sole purpose of supply of ordinary earth to Government works, the permit holder shall not carry on or allowed to be carried on any quarrying operations at or to any points within a distance of 25 meters from the boundary or boundaries of adjacent properties or 50 meters from any bridge, reservoir, tanks, and canals or other public works except with the previous permission of the District Geologist concerned. In such a case, proper study by the Government Engineers who supervise the Government work shall be conducted to excavate ordinary earth scientifically and such excavation shall be carried as per the recommendations of the engineers based on the guidelines and conditions stipulated by the Government. The permit holder shall abide by the conditions imposed by the District Geologist concerned which are found proper and necessary.

Provided further that, the area of the extraction of ordinary earth may be extended upto 5 hectares, in case the quarrying is carried out for the sole purpose of supply of ordinary earth to Government works.

Provided also that, in the case of extraction of ordinary earth in connection with the construction of buildings, the person who obtained building permit and plan from the Local Self Government Institutions may extract ordinary earth as per the conditions imposed by the authorities concerned in this regard and in such case, the condition No.3 in Form N shall not apply. In cases where the environmental clearance under Environment Impact Assessment Notification is mandatory for the development of land and extraction of ordinary earth, such activities shall be carried out as per the conditions stipulated therein. In the event of failure to complete at least the construction of basement of building within two years from the date of issuance of mineral transit passes



the act of extraction of minor minerals shall be treated as illegal and the offender shall be liable to pay an amount equal to five times the royalty of the minor mineral extracted from the area, in addition to the amount already paid.

(c). the permit holder shall not mine or dispose of any type of mineral other than the ordinary earth specified in the permit.

(d). the permit holder shall report to the State Government or the undersigned, the discovery of any mineral not specified in the permit within a period of seven days from the date of such discovery and shall not undertake any quarrying operations in respect of such mineral unless such mineral is included in the permit.

(e). the permit holder shall allow any officer authorised by the Central or the State Government in this behalf to enter upon any building, place of excavation or land comprised in this permit for the purpose of inspection of the same.

(f). the permit holder shall carry on the quarrying operations permitted as per sub-rule (1) in a fair, orderly, skillful manner and shall not cause any damage to life and property in nearby areas and also shall not cause any serious environmental hazard.

(g). the permit holder shall at all times during the term of permit keep or cause to be kept correct and intelligible records of accounts which shall contain accurate entries showing from time to time the quantity of mineral extracted and if sold, to whom sold, place, number of transit pass etc. and it shall be open for inspection by the competent authority/authorised officer in this regard, during all reasonable time.

(h). the permit holder shall give on demand any information pertaining to the quarrying that may be called for by the undersigned or the officer duly authorised by him in that behalf and comply with the provisions contained in the rules, failing which the permit is liable to be cancelled and appropriate action taken as provided for in the rules.

(i). the permit holder shall not be eligible for refund of any amount paid by way of application fee, rent, royalty or tax as the case may be.

(j). in cases where the land under mineral concession is a Government land, the permit holder shall pay any tax, if applicable to Government in addition to royalty and surface rent.

(k). this permit is subject to all rules and regulations which may from time to time be issued relating to the working of the quarries and other matters affecting the safety, health and convenience of the permit holders, employees or of the public whether under the Mines Act, 1952 or otherwise.

(l). the permit holder shall without delay send to the District Collector and the undersigned a report of any accident causing death or serious bodily injury or serious damage to property which may occur during the course of the quarrying operation.

(m). the permit holder shall make and pay such reasonable compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him in exercise of the powers granted by this permit and shall indemnify and be kept indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection with such quarrying operations.

(n). The permit holder shall obtain mineral transit passes in prescribed form as per the provisions contained in the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015 from the competent authority concerned and shall prepare these passes in duplicate and shall issue the original to the purchaser while he sells or



transports or cause to transport mineral from the place of extraction and the duplicate shall be retained.

(o). in order to extract minerals on the strength of this permit, the permit holder shall obtain other necessary licences, if any, from other statutory authorities concerned.

(p). if the holder of this permit fails to act upon the above said conditions or any relevant provisions of the rules, the permit is liable to be cancelled and appropriate action shall be taken as provided for in the rules.

By order of the Governor,

K R JYOTHILAL,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Government have framed the Kerala Minor Mineral Concession Rules, 2015 issued by notification under G. O. (P) No. 16/2015/ID dated 7th February 2015 and published as S.R.O No. 72/2015 in the Kerala Gazette Extraordinary No.288 dated 7th February, 2015 to regulate extraction of minor minerals in the State. As the landholding in Kerala is less, it is difficult to find suitable locations for extraction of large quantity of ordinary earth required for Government works like construction of roads. Hence Government have decided to extend area up to 5 hectares and to permit quarrying operations to excavate ordinary earth scientifically based on the recommendations of the engineers for Government works only and to stipulate that such excavation shall be carried out only as per the guidelines and conditions prescribed by the Government.

The notification is intended to achieve the above object.

